



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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DRAFT MINUTES FOR REGULAR SESSION MEETING

Held on Wednesday, October 3, 2012

9535 E. Doubletree Ranch Road • Scottsdale, Arizona

Board Members

Amy J. Schneider, M.D., F.A.C.O.G., Chair
Douglas D. Lee, M.D., Vice Chair
Gordi S. Khera, M.D., F.A.C.C., Secretary
Andrea E. Ibáñez, Member At Large
James M. Gillard, M.S., M.D., F.A.C.E.P., F.A.A.E.M.
Jody L. Jenkins, M.D.
Ram R. Krishna, M.D.
Harold Magalnick, M.D.
Germaine Proulx
William J. Thrift, M.D.

CALL TO ORDER

Dr. Schneider called the meeting to order at 8:00 a.m.

ROLL CALL

The following Board members were present: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift.

FORMAL HEARING MATTERS – CONSIDERATION OF ADMINISTRATIVE LAW JUDGE (ALJ) RECOMMENDED DECISION

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-11-1326A	HOWARD E. WEINSTEIN, M.D.	11075	Adopt the ALJ's recommended Findings of Fact, Conclusions of Law and Order, and dismiss the appeal.

Dr. Weinstein was not present during the Board's consideration of this case. Anne Froedge, Assistant Attorney General, was present on behalf of the State.

MOTION: Dr. Krishna moved to adopt the ALJ's recommended Findings of Fact, Conclusions of Law and Order, and dismiss the appeal.

SECOND: Ms. Ibáñez

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

LEGAL MATTERS

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-11-0091A	MITCHELL R. HALTER, M.D.	29626	Rescind the referral to Formal Hearing and accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in PHP.

Dr. Halter was not present during the Board's consideration of this case. Jennifer Boucek, Assistant Attorney General, was present on behalf of the State.

MOTION: Dr. Gillard moved to rescind the referral to Formal Hearing and accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in PHP.

SECOND: Dr. Krishna

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

CALL TO THE PUBLIC

FORMAL INTERVIEWS

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-12-0120A MD-12-0123A	ABDULKADIR A. HOURANI, M.D.	25270	Draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand and Probation. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in the treatment of pulmonary emergencies. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon successful completion of the course work.

Dr. Krishna was recused from this case.

MOTION: Dr. Khera moved for a finding of unprofessional conduct for case MD-12-0120A in violation of A.R.S. §32-1401(27)(q) - Any conduct that is or might be harmful or dangerous to the health of the patient or the public; and a finding of unprofessional conduct for case MD-12-0123A in violation of A.R.S. §32-1401(27)(e) - Failing or refusing to maintain adequate records on a patient.

SECOND: Dr. Jenkins

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

MOTION: Dr. Khera moved for a finding of unprofessional conduct for case MD-12-0123A in violation of A.R.S. §32-1401(27)(e) - Failing or refusing to maintain adequate records on a patient.

SECOND: Dr. Jenkins

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

MOTION: Dr. Khera moved for a draft Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand and Probation. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in the treatment of pulmonary emergencies. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon successful completion of the course work.

SECOND: Dr. Lee

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift. The following Board member was recused: Dr. Krishna.

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
2.	MD-11-1449A	MARC A. LETELLIER, M.D.	18410	Issue an Advisory Letter for inappropriate management of a patient and for starting an elective surgery while dealing with an emergent case.

Dr. Lee stated that he knows the Medical Consultant in this case and that it would not affect his ability to adjudicate the case.

MOTION: Dr. Krishna moved for a finding of Unprofessional Conduct in violation of A.R.S. §32-1401(27)(q) - Any conduct that is or might be harmful or dangerous to the health of the patient or the public.

SECOND: Dr. Khera

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

MOTION: Dr. Krishna moved to issue an Advisory Letter for inappropriate management of a patient and for starting an elective surgery while dealing with an emergent case.

SECOND: Dr. Gillard

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift. The following Board member voted against the motion: Dr. Lee.

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
3.	MD-11-1570A	COLIN CAVENAILE, M.D.	31936	Dismiss.

Dr. Schneider was recused from this case.

MOTION: Ms. Ibáñez moved for dismissal.

SECOND: Dr. Gillard

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, and Dr. Thrift. The following Board member was recused: Dr. Schneider.

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
4.	This matter was moved to Other Business #10.			

EXECUTIVE DIRECTOR'S REPORT

Lisa Wynn, Executive Director, presented a report to the Board.

CHAIR'S REPORT

MOTION: Dr. Schneider moved to enter into Executive Session to receive legal advice.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The Board entered into Executive Session at 2:42 p.m.

The Board returned to Open Session at 3:11 p.m.

No discussions or deliberations were made during Executive Session.

APPROVAL OF ANNUAL FEES

MOTION: Dr. Krishna moved to approve the annual fees.

SECOND: Dr. Schneider

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

PA RULES CHANGE UPDATE

APPROVAL OF MINUTES

MOTION: Dr. Schneider moved to approve the August 1, 2012 Regular Session Meeting, including Executive Session.

SECOND: Dr. Krishna

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

ADVISORY LETTERS

MOTION: Dr. Khera moved to issue an Advisory Letter in item numbers 1, 2, 3, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, and 24.

SECOND: Dr. Jenkins

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-12-0827A	WINSTON R. HEWITT, M.D.	44341	Issue an Advisory Letter for prescribing controlled substances without an established doctor-patient relationship. This matter does not rise to the level of discipline.
2.	MD-12-0176A	HARRY J. WIENS, M.D.	13419	Issue an Advisory Letter for failure to refer a patient with an elevated PSA and for inadequate medical records. This matter does not rise to the level of discipline.
3.	MD-12-0053A	ELLEN T. OLSON, M.D.	40418	Issue an Advisory Letter for inadequate medical records. This matter does not rise to the level of discipline.
4.	MD-11-1716A	SETH A. FAGERLIE, M.D.	33539	Dismiss.

MOTION: Dr. Gillard moved for dismissal.

SECOND: Dr. Thrift

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
5.	MD-11-0153A	CHITO D. ZERRUDO, M.D.	28313	Issue an Advisory Letter for inappropriate management of medications on a patient with behavioral problems and for inadequate medical records. This matter does not rise to the level of discipline.
6.	MD-11-0662A	CLAUDIO G. ZAMORANO, M.D.	10019	Return the case to notice the physician of an A.R.S. §32-1401(27)(q)

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
				violation citing that the standard of care requires a physician to appropriately repair the mitral and tricuspid valve with a deviation of failure to appropriately perform a mitral and tricuspid valve repair with the potential for patient harm. Offer a Consent Agreement for a Letter of Reprimand and invite the physician for a Formal Interview if he declines.

MOTION: Dr. Khera moved to return the case to notice the physician of an A.R.S. §32-1401(27)(q) violation citing that the standard of care requires a physician to appropriately repair the mitral and tricuspid valve with a deviation of failure to appropriately perform a mitral and tricuspid valve repair with the potential for patient harm. Dr. Khera further moved to offer Dr. Zamorano a Consent Agreement for a Letter of Reprimand and to invite the physician for a Formal Interview if he declines the Consent Agreement.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
7.	MD-12-0009A	LEONA M. MARTIN, M.D.	21951	Issue an Advisory Letter for failure to recognize onset of heart failure. This matter does not rise to the level of discipline.

Dr. Krishna was recused from this case.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
8.	MD-11-1688A	GARY L. WASLEWSKI, M.D.	27254	Issue an Advisory Letter for insertion of arthroscope into the wrong knee. This matter does not rise to the level of discipline.
9.	MD-11-1482A	TIMOTHY A. LUKE, M.D.	41183	Issue an Advisory Letter for aggressive removal of the left L5-S1 joint and inadequate postoperative follow up. This matter does not rise to the level of discipline.
10.	MD-12-0635A	VIRGILIO G. H. EVIDENTE, M.D.	24438	Issue an Advisory Letter for signing blank prescription forms for non-controlled substances. This matter does not rise to the level of discipline.
11.	MD-12-0627A	HOWARD P. TAY, M.D.	24054	Issue an Advisory Letter for mistakenly prescribing Clomipramine instead of Clomiphene. This matter does not rise to the level of discipline.
12.	MD-12-0022A	CURTIS A. DICKMAN, M.D.	20814	Dismiss.

Dr. Krishna was recused from this case.

MOTION: Dr. Lee moved for dismissal.

SECOND: Ms. Ibáñez

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
13.	MD-12-0284A	BOGDANA TROP, M.D.	35887	Issue an Advisory Letter for inadequate medical records. This matter does not rise to the level of discipline.
14.	MD-12-0707A	RICHARD L.S. JENNELLE, M.D.	30457	Issue an Advisory Letter for action taken by the State of North Carolina. This matter does not rise to the level of discipline.
15.	MD-12-0158A	GRACE A. HAYNES, M.D.	22571	Issue an Advisory Letter for inadequate medical records. This matter does not rise to the level of discipline.
16.	MD-12-0328A	RICHARD D. RANNE, M.D.	11735	Issue an Advisory Letter for action taken by the State of Oklahoma and for failing to report his privilege suspension on his 2010 Arizona license renewal application. This matter does not rise to the level of discipline.
17.	MD-12-0780A	SHARAD D. PATEL, M.D.	43419	Issue an Advisory Letter for failing to conduct an examination prior to prescribing and for failure to maintain a medical record. This matter does not rise to the level of discipline.
18.	MD-12-0941A	MICHAEL R. JERMAN, M.D.	17678	Issue an Advisory Letter for improperly prescribing a controlled substance to a family member. The violation was a one-time occurrence that does not rise to the level of discipline.
19.	MD-12-0557A	JOSE REYNOSO, M.D.	12818	Issue an Advisory Letter for signing blank prescriptions. This matter does not rise to the level of discipline.
20.	MD-11-1153A	MATTHEW P. WILSON, M.D.	33588	Issue an Advisory Letter for misdiagnosing a disc herniation at the L4/5 level, when the disc herniation was at the L3/4 level. This matter does not rise to the level of discipline.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
21.	MD-11-1699A	ROBERT M. RUSH, M.D.	24007	Dismiss.

Dr. Lee stated that he knows the Medical Consultant in this case and that it would not affect his ability to adjudicate the case.

MOTION: Dr. Gillard moved for dismissal.

SECOND: Dr. Thrift

VOTE: 8-yay, 2-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
22.	MD-12-0452A	JEFFREY J. DYER, M.D.	26487	Dismiss.

MOTION: Dr. Jenkins moved for dismissal.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
23.	MD-12-0416A	FREDERICK W. VAN HOOK, M.D.	27831	Issue an Advisory Letter for inappropriate prescribing and monitoring of pain medications, and for inadequate medical records. This matter does not rise to the level of discipline.
24.	MD-12-0819A	CASEY K. COLLINS, M.D.	43500	Issue an Advisory Letter for electronically co-signing an inaccurate emergency room note dictation. This matter does not rise to the level of discipline.
25.	MD-12-0672A	ALTON V. HALLUM, M.D.	21585	Issue an Advisory Letter for failing to perform further evaluation of ascitic fluid and diagnostic testing of the ascites, and for failing to perform additional diagnostic testing for further renal, ureter, and bladder evaluation.

Dr. Schneider was recused from this case.

MOTION: Dr. Krishna moved to issue an Advisory Letter for failing to perform further evaluation of ascitic fluid and diagnostic testing of the ascites, and for failing to perform additional diagnostic testing for further renal, ureter, and bladder evaluation.

SECOND: Dr. Jenkins

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
26.	MD-12-0041A	MARC A. LETELLIER, M.D.	18410	Issue an Advisory Letter for not being readily available while on call. This matter does not rise to the level of discipline.

MOTION: Dr. Krishna moved to issue an Advisory Letter for not being readily available while on call. This matter does not rise to the level of discipline.

SECOND: Dr. Gillard

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION (CME) ORDER

MOTION: Dr. Lee moved to issue an Advisory Letter with Non-Disciplinary CME Order in item numbers 1 and 2.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-12-0151A	ANGELO M. ONG-VELOSO, M.D.	26164	Issue an Advisory Letter and Order for Non-Disciplinary CME for improper prescribing of controlled substances and for inadequate medical records. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in an intensive, in-person prescribing course. The course hours shall be in addition to the CME hours required for renewal of licensure. This matter does not rise to the level of discipline.
2.	MD-12-0607A	STEVEN D. VIG, M.D.	13332	Issue an Advisory Letter for improper management of a chronic pain patient and for inadequate medical records. Non-disciplinary CME Order for opioid prescribing. Within six months, complete 15-20 hours of Board staff pre-approved Category I CME in an intensive, in-person prescribing course. The CME hours shall be in addition to the hours required for license

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
				renewal. This matter does not rise to the level of discipline.

REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Dr. Krishna moved to uphold the dismissal in item numbers 1, 3, and 5.

SECOND: Ms. Proulx

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-12-0220A	DANIEL P. FEATHERSTON, M.D.	19933	Uphold the dismissal.
2.	MD-12-0489A	ROBIN M. FLECK, M.D.	31062	Uphold the dismissal.

MOTION: Ms. Ibáñez moved to uphold the dismissal.

SECOND: Dr. Lee

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
3.	MD-11-1734A	SREEDEVI S. REDDY, M.D.	28028	Uphold the dismissal.
4.	MD-12-0503A	RAMIN SCHADLU, M.D.	41415	Uphold the dismissal.

MOTION: Dr. Gillard moved to uphold the dismissal.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
5.	MD-12-0899A	MEERA P. GANDHY, M.D.	32091	Return the case for further investigation.

MOTION: Dr. Gillard moved to reopen this case.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

MOTION: Dr. Gillard moved to return the case for further investigation.

SECOND: Dr. Krishna

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

OTHER BUSINESS

MOTION: Dr. Krishna moved to accept the proposed Consent Agreement in item numbers 2, 3, 4, 5, and 6.

SECOND: Dr. Khera

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
1.	MD-11-0458A	CHARLES S. LIPSKIND, M.D.	17076	Accept the proposed Consent Agreement for a Letter of Reprimand.

MOTION: Dr. Lee moved to accept the proposed Consent Agreement for a Letter of Reprimand.

SECOND: Dr. Krishna

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
2.	MD-12-0175A	MARK J. RUBIN, M.D.	28310	Accept the proposed Consent Agreement for a Letter of Reprimand.
3.	MD-11-0913A	PARMIS Y. RAD, M.D.	42399	Accept the proposed Consent Agreement for a Letter of Reprimand and Five Year Probation to participate in PHP. Dr. Rad's PHP participation shall be retroactive to June 25, 2012. The Probation shall include psychotherapy for a period of six months.
4.	MD-12-0194A	PAUL D. DLUGIE, M.D.	28012	Accept the proposed Consent Agreement for a Letter of Reprimand and Three

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
				Month Probation. Within ten days, the physician shall enter into a contract with a Board pre-approved monitoring company to provide all monitoring services, and the physician is responsible for the monitoring costs. The monitor shall conduct monthly, random chart reviews and the physician's license shall be cancelled on January 1, 2013 provided that he is not under investigation by the Board and the Board has not commenced any disciplinary proceeding against him.
5.	MD-12-0462A	MICHAEL F.E. JONES, M.D.	13267	Accept the proposed Consent Agreement for Surrender of License.
6.	MD-11-1159A	THOMAS J. PETRONE, M.D.	23585	Accept the proposed Consent Agreement for Surrender of License.
7.	MD-12-0279A	ROBERT D. SCHULTE, M.D.	23206	Dismiss.

MOTION: Dr. Gillard moved for dismissal.

SECOND: Ms. Ibáñez

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
8.	MD-11-1344A	THOMAS J. WALL, M.D.	24251	Dismiss.

MOTION: Dr. Lee moved for dismissal.

SECOND: Ms. Ibáñez

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
9.	MD-11-1735A	HAROON W. CHAUDHRY, M.D.	N/A	Approve the application and issue Dr. Chaudhry a medical license.

MOTION: Dr. Gillard moved to approve the application and issue Dr. Chaudhry a medical license.

SECOND: Dr. Magalnick

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

NO.	CASE NO.	PHYSICIAN	LIC. #	RESOLUTION
10.	MD-11-1582A	RICK J. GOMEZ, M.D.	33677	Reject the proposed Consent Agreement and instruct Board staff to negotiate a new Consent Agreement with the physician to address the deviation from the standard of care identified by the medical consultant concerning Dr. Gomez's performance of spinal injections and use of fluoroscopy without adequate training. The Consent Agreement shall include a probationary period in which Dr. Gomez shall refrain from performing these invasive procedures until such time that he has completed a PACE or CPEP evaluation to demonstrate his competency in performing spinal injections and use of fluoroscopy.

MOTION: Dr. Lee moved to reject the proposed Consent Agreement and instructed Board staff to negotiate a new Consent Agreement with the physician to address the deviation from the standard of care identified by the medical consultant concerning Dr. Gomez's performance of spinal injections and use of fluoroscopy without adequate training. The Consent Agreement shall include a probationary period in which Dr. Gomez shall refrain from performing these invasive procedures until such time that he has completed a PACE or CPEP evaluation and recommended training to demonstrate his competency in performing spinal injections and use of fluoroscopy.

SECOND: Ms. Ibáñez

ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Ms. Ibáñez, Dr. Jenkins, Dr. Khera, Dr. Krishna, Dr. Lee, Dr. Magalnick, Ms. Proulx, Dr. Schneider, and Dr. Thrift.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

MOTION PASSED.

The meeting adjourned at 3:38 p.m.



Lisa S. Wynn, Executive Director